

## REMARKS

Claims 1-27 are currently pending in the application. Claims 18-24 have been withdrawn from consideration by the Applicant. Claims 10-13 and 15 have been allowed.

The Examiner has taken the position that claims 26 and 27, as added in the October 4, 2005 amendment, are directed to an invention that is independent from that originally claimed. The Examiner has thus withdrawn claims 26 and 27 from consideration.

It is respectfully submitted that the withdrawal of claims 26 and 27 from consideration is improper, as set forth in detail below.

Claims 1-9, 14, 16, 17 and 25 stand rejected under 35 USC §103 as obvious over JP 2708717 (APA), in view of U.S. Patent No. 5,176,583, to Schanin et al (Schanin), and further in view of U.S. Patent No. 5,733,399 (Wood).

Reconsideration of the withdrawal of claims 26 and 27 from consideration, and the rejection of claims 1-9, 14, 16, 17 and 25 are requested.

One important aspect of Applicant's invention is the separate formation of two different belt/belt sleeve components. A first of the belt/belt sleeve components has at least one of: a) a plurality of ribs; and b) a plurality of cog teeth. The second belt/belt sleeve component consists of at least part of a cushion rubber layer and a load carrying member.

As explained in detail in Applicant's written description, the inventive method relates to the formation of a power transmission belt wherein the ribs and/or cog teeth are formed under pressure against a complementary mold surface. Conventionally, if all belt components are placed upon a mold preparatory to applying this forming pressure, a pressure of a magnitude sufficient to form the ribs and/or cog teeth into the mold must be

utilized. This same pressure is applied indirectly to the layer in which the ribs and/or cog teeth are formed through a cushion rubber layer and load carrying member. As a result, the load carrying member is prone to being elongated and displaced under this large pressure.

According to the invention, by separately forming the first and second belt/belt sleeve components, the ribs and/or cog teeth can be formed using a large pressure. Since the pressure is applied to form the ribs and/or cog teeth without being applied to the second belt/belt sleeve component, the load carrying member and part of the cushion rubber layer need not be subjected to this same high pressure, as might cause the detrimental displacement and elongation, discussed above. The pressure required to unit the first and second belt/belt sleeve components is considerably less than is required to form the ribs and/or cog teeth.

Whereas, in the prior art, all of the belt components making up the power transmission belt will be subjected to the same pressure to form the ribs and/or cogged teeth, this is not required practicing the inventive method, as set forth in both independent claims.

Each of independent claims 1 and 26 requires the steps of separately forming the first and second belt/belt sleeve components, with the latter having at least two separate elements, and applying a radial force to the first belt/belt sleeve component without the presence of the second belt/belt sleeve component. In each claim, after the plurality of ribs and/or cog teeth are formed in the first belt/belt sleeve component, the first and second belt/belt sleeve components are joined to each other.

It is respectfully submitted that the Examiner's basis for withdrawing claims 26 and 27 from consideration in paragraph 1 is not accurate. The similarities between the independent claims are not "merely superficial", given that the above steps, which define the main aspects of the invention, are common to both independent claims 1 and 26.

Accordingly, it is respectfully requested that the Examiner substantively examine claims 26 and 27.

With respect to the rejection of the claims based upon the prior art, independent claims 1 and 26 distinguish over the applied art in a very significant manner. The Examiner contends that claims 1 and 26, in their current form, do not distinguish over the prior art wherein all components are serially built up upon a molding drum preparatory to applying a pressure sufficient to form ribs/teeth. The prior art does not, however, teach the forming of ribs/teeth and thereafter applying a separately formed component, consisting of two discrete elements, those being the rubber layer and a load carrying member.

While Applicant admits that it is known to serially built components, the Examiner has not cited any prior art wherein a pre-joined cushion rubber layer and load carrying member are joined to a separately formed component already having ribs/teeth formed therein through the application of pressure towards a complementary mold surface.

The process in each of claims 1 and 26 is specific to the pre-formation of the separate components. The fact that these components ultimately unite after vulcanization does not bring the prior art within the scope of the language in claims 1 and 26, as currently presented. The prior art does not teach pre-joining of a load carrying cord and part of a cushion rubber layer. The fact that there is no specific description of the nature

of the connection does not take away from the fact that the prior art does not teach this concept in any form.

The Examiner relies on Schanin, apparently for the teaching therein that the various belt components could be formed by any of extrusion, casting, or molding. While admittedly these processes can be alternatively performed to produce power transmission belts, the problem that the present invention addresses is peculiar to a process wherein components, including that within which the ribs/teeth are formed, are serially built up upon a mold, as specifically claimed. Thus, to combine prior art teachings relating to the two distinct processes, i.e. pressure forming versus extrusion, is inappropriate, when the claim language is peculiar to the pressure formation of the ribs and/or cog teeth against a complementary mold.

Additionally, claim 26 includes the steps of forming the first and second belt/belt sleeve components on separate mold assemblies, which are then combined to allow the separate belt/belt sleeve components to be joined. This limitation appears in claim 7, as previously presented. This is not taught or suggested in the cited prior art.

Accordingly, claims 1 and 26 are believed allowable.

Claims 2-9, 14, 16, 17 and 25 depend cognately from claim 1 and recite further significant structural detail to further distinguish over the prior art.

As an example, claim 7 specifically recites the steps of forming the ribs/teeth on a first mold assembly, with the second belt/belt sleeve component formed against a second mold assembly. The first and second mold assemblies are then placed in cooperating relationship. This is not taught or suggested in the prior art.

Claim 9, which depends from claim 7, recites the additional limitation that the first mold is used in two separate steps, the first of which occurs without the second belt/belt sleeve component on the second mold assembly, and the second with the second belt/belt sleeve component thereon. The prior art does not teach or suggest the use of molds in this manner.

Claim 27 depends from claim 26 and recites further significant detail to further distinguish over the cited art.

It is respectfully requested that the finality of the rejection be withdrawn and that a substantive Action be issued with respect to claims 26 and 27.

Entry of the amendment, consideration of claims 26 and 27, reconsideration of the rejection of claims 1-9, 14, 16, 17 and 25, and allowance of the case are requested.

Respectfully submitted,

By   
John S. Mortimer, Reg. No. 30,407

WOOD, PHILLIPS, KATZ,  
CLARK & MORTIMER  
500 W. Madison St., Suite 3800  
Chicago, IL 60661  
(312) 876-1800

Date: Feb 8, 2006